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TO AMEMBASSY PANAMA IMMEDIATE

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SUBJ: NEW YORK TIMES ARTICLE ON PANAMA CANAL TALKS

OF 11 JANUARY, 1974

THE FOLLOWING ARTICLE TITLED "KISSINGER REPORTS GAINS IN PANAMA CANAL TALKS" APPEARS IN THE NEW YORK TIMES OF 11 JANUARY, 1974

1. SPECIAL TO THE NEW YORK TIMES, WASHINGTON, JANUARY 10
SECRETARY OF STATE KISSINGER SAID TODAY THAT THE UNITED STATES AND PANAMA HAD MADE "SUBSTANTIAL PROGRESS" TOWARD A "STATEMENT OF PRINCIPLES" ON THEIR NEGOTIATIONS ON A NEW TREATY REGULATING THE AMERICAN-OWNED PANAMA CANAL.

2. A UNITED STATES OFFICIAL SAID THE STATEMENT OF PRINCIPLES, IF ADOPTED, WOULD SERVE AS "INSTRUCTIONS TO THE NEGOTIATORS OF THE NEW TREATY." HE SAID THIS TECHNIQUE WAS ADOPTED AFTER TROUBLESOME EXPERIENCE IN ATTEMPTING TO ENTER NEGOTIATIONS DIRECTLY WITH PANAMA IN THE PAST.

3. AT A NEWS CONFERENCE, MR. KISSINGER REPORTED ON A PRELIMINARY AGREEMENT REACHED BETWEEN AMBASSADOR AT LARGE,
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ELLSWORTH BUNKER AND PANAMA'S FOREIGN MINISTER, JUAN

ANTONIO TACK, EARLIER IN THE WEEK. MR. BUNKER RETURNED TO WASHINGTON YESTERDAY.

4. THE BUNKER-TACK AGREEMENT WAS DESCRIBED BY A KNOWLEDGEABLE UNITED STATES OFFICIAL AS "A VERY IMPORTANT STEP" TOWARD NEGOTIATION OF A NEW PACT TO REPLACE THE 1903 TREATY THAT GAVE THE UNITED STATES CONTROL OF THE PANAMA CANAL "IN PERPETUITY".

5. THE OFFICIAL EMPHASIZED, HOWEVER, THAT THE PRELIMINARY AGREEMENT REQUIRED APPROVAL OF MANY IN THE PANAMANIAN AND UNITED STATES GOVERNMENTS AND CONSULTATION WITH THE UNITED STATES CONGRESS AS WELL. ONLY THEN COULD THE STATEMENT BE ADOPTED AND ISSUED AS THE PRELUDE TO ACTUAL NEGOTIATIONS OF A NEW CANAL TREATY, HE SAID.

6. MR. KISSINGER SAID THE PRELIMINARY AGREEMENT "REFLECTED MODIFICATIONS ON BOTH SIDES."

7. AMBASSADOR BUNKER FIRST MET MR. TACK OCTOBER 5 AND SINCE THEN THEY HAVE CONFERRED SEVERAL TIMES. THE AGREEMENT, IF ACCEPTED BY BOTH GOVERNMENTS, MEANS PANAMA AND THE UNITED STATES COULD RESUME TREATY NEGOTIATIONS BROKEN OFF IN 1967, THIS TIME WITH A PROSPECT OF CONCLUDING THEM IN A YEAR OR SO, THE OFFICIAL SAID.

8. IF APPROVAL IS FORTHCOMING FROM THE UNITED STATES DEPARTMENTS OF DEFENSE, COMMERCE AND INTERIOR AND OTHER CONCERNED GOVERNMENT AGENCIES, IT IS CONCEIVABLE THAT THE STATEMENT OF PRINCIPLES WOULD BE ISSUED BEFORE MR. KISSINGER VISITS MEXICO CITY FEBRUARY 21 TO MEET LATIN-AMERICAN FOREIGN MINISTERS.

9. IN ANY CASE, THE ADVANCE REPRESENTED BY THE BUNKER-TACK AGREEMENT TENDS TO REMOVE THE PANAMA CANAL ISSUE FROM THE PERENNIAL LIST OF SOUTH AMERICAN COMPLAINTS AGAINST THE UNITED STATES.

10. THE ESSENCE OF THE AGREEMENT IS UNITED STATES ACCEPTANCE OF THE PANAMANIAN VIEW THAT A NEW TREATY WOULD

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SOMEHOW HAVE TO REFLECT THE CONCEPT OF THE ULTIMATE SOVEREIGNTY OF PANAMA OVER THE 530-SQUARE-MILE CANAL ZONE, THE OFFICIAL SAID. THIS WILL BE ACCOMPLISHED MAINLY BY AVOIDING THE USE OF THE "IN PERPETUITY" CLAUSE PRESENT IN THE 1903 TREATY, HE SAID. RUSH

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